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To: Examiner A. A. Boutah
U.S. Patent and Trademark Office

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Attorney Docket No. MICR0173

From: Thomas Marquis, Registration No. 46900 for
Ronald M. Anderson, Registration No. 28,829

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MESSAGE:

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1. Facsimile Cover Page (1pg).
2. Applicant Initiated Interview Request Form with Agenda Items (1pg).
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PTOL-413A (08-03)
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Applicant Initiated Interview Request Form

Application No.: 09/533,049 First Named Applicant: SHASHANK PARASNIS
Examiner: A. A. BOUTAH Art Unit: 2143 Status of Application: PENDING #15

Tentative Participants:

(1) EXAMINER A.A. BOUTAH (2) THOMAS MARQUIS (REGISTRATION # 46,900)
(3) _____ (4) _____

Proposed Date of Interview: FEB 2, 2004 Proposed Time: 1:30 (AM/PM) EST

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES

☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Ref., Obj., etc)	Claims Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>103(a)</u>	<u>1-29</u>	<u>Official Notice</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

BODY OF FINAL OFFICE ACTION CITES REFERENCES, BUT DOES NOT CITE
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SEEK CLARIFICATION AND PROPOSE TRaversal OF OFFICIAL NOTICE IN ATTACHED DRAFT RESPONSE

An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Thomas Marquis (REGISTRATION # 46,900)
For Ron Anderson (REGISTRATION # 28,829)

(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEE OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

CUSTOMER NUMBER**27792****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant(s): Parasnis et al.****Attorney Docket No: MICR0173****Serial No: 09/533,049****Group Art Unit: 2143****Filed: March 22, 2000****Examiner: A. A. Boutah****Title: SYSTEM AND METHOD FOR RECORDING A PRESENTATION FOR
ON-DEMAND VIEWING OVER A COMPUTER NETWORK****REQUEST FOR RECONSIDERATION****Bellevue, Washington 98004****January 30, 2004****TO THE DIRECTOR OF THE PATENT AND TRADEMARK OFFICE:**

In response to the Office Action dated December 12, 2003, applicants request that the above-identified application be amended as set forth below, and that the Examiner reconsider the application in view of these amendments and the Remarks that follow. The claims are amended as set forth below.

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micr0173-1-1\0173andDraftToExaminerForPhoneInterview.doc

Listing of the Claims

1. (Previously Presented) A method for recording a live presentation including a predefined content portion that includes a plurality of presentation slides displayed in response to slide triggering events during the live presentation, and a live portion with live audio and/or visual content performed in conjunction with display of said plurality of presentation slides during the live presentation, the method comprising the steps of:

(a) generating slide display commands corresponding to said slide triggering events, for controlling display of said plurality of presentation slides during playback of a recorded presentation;

(b) automatically embedding the slide display commands into a data stream as the data stream is produced, the data stream comprising data corresponding to the live portion of the presentation; and

(c) saving the data stream with embedded slide display commands to a file such that when the file is played, said live portion is reproduced and said plurality of presentation slides are displayed in substantial synchrony with said live portion as it is played, thereby replicating the live presentation.

2. (Previously Presented) The method of Claim 1, wherein the step of automatically embedding the slide display commands into the data stream comprises the steps of capturing the live portion as it is performed during the live presentation; and, encoding the live portion into a digital streaming format, thereby producing the data stream.

3. (Previously Presented) The method of Claim 2, wherein the step of automatically embedding the slide display commands comprises the step of interleaving the slide display commands into the data stream as the slide display commands are generated.

4. (Original) The method of Claim 2, wherein the live presentation is performed using a local computer that generates the slide display commands in response to the slide triggering events; and wherein the live portion of the live presentation is captured and encoded into the data stream using an encoding computer linked in communication with the local computer, further comprising the steps of:

(a) communicating the slide display commands from the local computer to the encoding computer; and

(b) interleaving the slide display commands into the data stream as they are received by the encoding computer.

1 5. (Original) The method of Claim 2, wherein the live visual content is captured as a
2 plurality of video frames, each being encoded into the data stream with a corresponding time stamp;
3 and wherein the slide display commands are interleaved into the data stream such that each slide
4 display command has a relative time stamp based on its location in the data stream.

5 6. (Original) The method of Claim 5, wherein the plurality of video frames comprises a
6 plurality of keyframes and deltaframes, further comprising the step of:

7 (a) adding a plurality of time index values to the data stream;
8 (b) indexing each of said plurality of keyframes to a corresponding time index value based
9 on the time stamp of the keyframe; and

10 (c) indexing each slide display command to a nearest preceding keyframe time index
11 value based on a time stamp of the slide display command.

12 7. (Original) The method of Claim 1, wherein the step generating slide display commands
13 comprises the steps of:

14 (a) capturing the slide triggering events as they occur during the live presentation; and
15 (b) generating slide display commands based on the slide triggering events that are
16 captured.

17 8. (Original) The method of Claim 1, wherein each presentation slide is associated with a
18 slide file that is saved to a predetermined location, and at least one of the slide display commands
19 references the predetermined location of an associated slide file.

20 * 9. (Previously Presented) A method for reproducing on a viewing computer a presentation
21 that was previously presented live, said viewing computer having a display, said presentation
22 including a predefined content portion with a plurality of presentation slides that were displayed in
23 response to slide triggering events during the presentation when it was presented live, and a live
24 portion comprising live audio and/or visual content performed in conjunction with display of said
25 plurality of presentation slides during the presentation when it was presented live, the method
26 comprising the steps of:

27 (a) producing a recording of the presentation when it was presented live by performing
28 the steps of:

29 (i) producing a data stream comprising data corresponding to the live portion of the
30 presentation;

1 (ii) generating slide display commands corresponding to said slide triggering events, each
2 slide display command controlling display of an associated presentation slide when the recording is
3 played;

4 (iii) automatically embedding the slide display commands into the data stream while the
5 data stream is being produced; and

6 (iv) saving the data stream to a data stream file that is accessible by the viewing computer;

7 (b) saving the predefined content portion to at least one presentation slide file that is
8 accessible by the viewing computer;

9 (c) accessing the data stream file with the viewing computer;

10 (d) reproducing the live portion of the presentation on the display of the viewing computer
11 by playing the data stream file;

12 (e) extracting the slide display commands from the data stream as the slide display
13 commands are encountered while playing the data stream file;

14 (f) in response to each slide display command that is extracted in the preceding step,
15 accessing data corresponding to its associated presentation slide with the viewing computer; and

16 (g) reproducing each of the plurality of presentation slides on the display of the viewing
17 computer as data corresponding to that presentation slide is accessed by the viewing computer in the
18 preceding step.

19 10. (Original) The method of Claim 9, wherein the viewing computer accesses the data
20 corresponding to the presentation slides with a browser program.

21 11. (Original) The method of Claim 10, wherein each of said plurality of presentation slides
22 is associated with a corresponding HTML slide file that is saved to a predetermined location on a
23 network accessible by the viewing computer and at least a portion of said slide display commands
24 comprise a link to the predetermined location of an associated HTML slide file on the network, each
25 of said HTML slide files being opened in the browser program in response to its associated slide
26 display command, said browser program interpreting the HTML slide files to reproduce said plurality
27 of presentation slides.

28 12. (Original) The method of Claim 11, wherein the link to each HTML slide files comprises
29 an absolute reference to a location on the network at which the HTML slide file corresponding to the
30 link is stored.

1 13. (Original) The method of Claim 12, wherein each of the absolute references comprises a
2 base portion identifying a base directory on a network resource in or below which the HTML slide
3 files are stored, and a relative portion, identifying a location at which the HTML slide files are stored
4 relative to the base directory, further comprising the steps of:

5 (a) passing the base portion to the browser program to indicate a location of the base
6 directory;

7 (b) removing the base portion from each of the links in said slide display commands so as
8 leave only the relative portion of the link; and

9 (c) using the relative portion of each link to enable the browser program to access the
10 HTML file associated with that link.

11 14. (Original) The method of Claim 10, wherein the browser program includes a display area
12 having a primary frame, and a secondary frame, a media player screen appearing in the secondary
13 frame, said presentation slide files being reproduced in the primary frame, and said live visual content
14 being reproduced in the media player screen.

15 15. (Original) The method of Claim 14, further comprising the steps of:

16 (a) indicating a location at which the data stream file is stored to the viewing computer;

17 (b) directing the data stream to the secondary frame; and

18 (c) playing the data stream in the secondary frame after at least a portion of the data
19 stream file is received, to reproduce the live portion of the presentation.

20 16. (Previously Presented) A system for recording a live presentation including a predefined
21 content portion having a plurality of presentation slides that are displayed in response to slide
22 triggering events during the live presentation, and a live portion with live audio and/or visual content
23 performed in conjunction with display of said plurality of presentation slides during the live
24 presentation, the system comprising:

25 (a) a local computer having a memory in which a plurality of machine instructions are
26 stored, a user interface, and a processor coupled to the memory for executing the machine
27 instructions;

28 (b) a presentation application program comprising a portion of the plurality of machine
29 instructions stored in the memory of the local computer, the presentation application program
30 enabling:

1 (i) a presenter to change slides during the live presentation in response to slide triggering
2 events entered through the user interface; and

3 (ii) slide display commands to be generated in response to the slide triggering events;

4 (c) an audio capture subsystem that produces a digital audio signal corresponding to the
5 live audio content; and

6 (d) an encoding application module comprising a portion of the plurality of machine
7 instructions stored in the memory of the local computer, said encoding application module being used
8 for:

9 (i) encoding the digital audio signal into a data stream having a streaming data format;

10 (ii) automatically embedding the slide display commands into the data stream while the
11 digital audio signal is encoded into the data stream; and

12 (iii) saving the data stream to a data stream file such that when the data stream file is
13 played, said audio content is reproduced, and said plurality of presentation slides are displayed in
14 substantial synchrony with said audio content as it is reproduced, thereby replicating the live
15 presentation.

16 17. (Original) The system of Claim 16, wherein the live portion of the live presentation
17 further comprises live visual content, further including a video capture subsystem that produces a
18 digital video signal corresponding to the live visual content, whereby the digital video signal is encoded
19 along with the digital audio signal into the data stream, such that the audio and visual content is
20 reproduced in synchrony when the data stream file is played.

21 (Original) The system of Claim 17, wherein the live visual content is captured as a
22 plurality of video frames, each being encoded into the data stream with a corresponding time stamp,
23 and the slide display commands are interleaved into the data stream, such that each slide display
24 command has a relative time stamp based on its location in the data stream.

25 19. (Original) The system of Claim 18, wherein the plurality of video frames comprises a
26 plurality of keyframes and deltaframes, and the encoding module further performs the functions of:

27 (a) adding a plurality of time index values to the data stream;

28 (b) indexing each of said plurality of keyframes to a corresponding time index value,
29 based on a timestamp of the keyframe; and
30

1 (c) indexing each slide display command to a nearest preceding keyframe time index
2 value, based on a time stamp of the slide display command.

3 * 20. (Previously Presented) A system for recording a live presentation including a predefined
4 content portion having a plurality of presentation slides that are displayed in response to slide
5 triggering events during the live presentation, and a live portion comprising live audio content
6 performed in conjunction with display of said plurality of presentation slides during the live
7 presentation, the system comprising:

8 (a) a local computer having a memory in which a plurality of machine instructions are
9 stored, a user interface, and a processor coupled to the memory for executing the machine
10 instructions;

11 (b) an audio capture subsystem that produces a digital audio signal corresponding to the
12 live audio content;

13 (c) an encoding computer having a memory in which a plurality of machine instructions
14 are stored, and a processor coupled to the memory for executing the machine instructions, the
15 encoding computer being linked in communication with the local computer and the audio capture
16 subsystem;

17 (d) a portion of the plurality of machine instructions stored in the memory of the encoding
18 computer comprising an encoding module, execution of the encoding module performing the
19 functions of:

20 (i) encoding the digital audio signal into a data stream having a streaming data format;

21 and

22 (ii) saving the data stream to a data stream file; and

23 (e) a presentation application program comprising a portion of the plurality of machine
24 instructions stored in the memory of the local computer, execution of the presentation application
25 program enabling:

26 (i) a presenter to change slides during the live presentation by entering slide triggering
27 events through the user interface;

28 (ii) slide display commands to be generated in response to the slide triggering events; and

29 (iii) communication of the slide display commands to the encoding computer, said slide
30 display commands being automatically embedded into the data stream by the encoding module as the

1 slide display commands are received by the encoding computer and as the digital audio signal is
2 encoded into the data stream, such that when the data stream file is played, said audio content is
3 reproduced and said plurality of presentation slides are displayed in substantial synchrony with said
4 audio content as it is reproduced, thereby replicating the live presentation.

5 21. (Original) The system of Claim 20, wherein the live portion of the live presentation
6 further comprises live visual content, further including a video capture subsystem that produces a
7 digital video signal corresponding to the live visual content, said digital video signal being encoded
8 into the data stream by the encoding module executing on the encoding computer, such that the audio
9 content and visual content are reproduced in synchrony when the data stream file is played.

10 22. (Previously Presented) The system of Claim 21, wherein the live visual content is
11 captured as a plurality of video frames, each being encoded into the data stream with a corresponding
12 time stamp, and wherein the slide display commands are interleaved into the data stream, such that
13 each slide display command has a relative time stamp based on its location in the data stream.

14 23. (Original) The system of Claim 22, wherein the plurality of video frames comprises a
15 plurality of keyframes and deltaframes, and the encoding module further performs the functions of:

- 16 (a) adding a plurality of time index values to the data stream;
17 (b) indexing each of said plurality of keyframes to a corresponding time index value,
18 based on a time stamp of the keyframe; and
19 (c) indexing each slide display command to a nearest preceding keyframe time index
20 value, based on a time stamp of the slide display command.

21 24. (Previously Presented) A computer-readable medium having computer-executable
22 instructions for recording a live presentation having a predefined content portion that includes a
23 plurality of presentation slides displayed on a computer in response to slide triggering events during
24 the live presentation, and a live portion comprising live audio and/or visual content performed in
25 conjunction with display of said plurality of presentation slides during the live presentation,
26 execution of the computer-executable instructions causing a computer to:

- 27 (a) generate slide display commands corresponding to said slide triggering events, for
28 controlling display of said plurality of presentation slides during playback of a recorded presentation;
29
30

1 (b) automatically embed the slide display commands into a data stream as the data stream
2 is produced, the data stream comprising data corresponding to the live portion of the presentation;
3 and

4 (c) save the data stream with embedded slide display commands to a file while
5 automatically embedding the slide display commands into the data stream, such that when the file is
6 played, said live portion is reproduced and such that said plurality of presentation slides are displayed
7 in substantial synchrony with said live portion, thereby replicating the live presentation.

8 25. (Previously Presented) The computer-readable medium of Claim 24, wherein execution
9 of the computer-executable instructions further cause the live portion to be captured as it is performed
10 during the live presentation and to be encoded into a digital streaming format.

11 26. (Previously Presented) The computer-readable medium of Claim 25, wherein the slide
12 display commands are interleaved into the data stream as the slide display commands are generated.

13 27. (Previously Presented) The computer-readable medium of Claim 25, wherein the live
14 visual content is captured as a plurality of video frames, each being encoded into the data stream with
15 a corresponding time stamp, and the slide display commands are interleaved into the data stream such
16 that each slide display command has a relative time stamp based on its location in the data stream.

17 28. (Previously Presented) The computer-readable medium of Claim 25, wherein the
18 plurality of video frames comprises a plurality of keyframes and deltaframes, execution of the
19 computer-executable instructions causing a computer to:

20 (a) add a plurality of time index values to the data stream;

21 (b) index each of said plurality of keyframes to a corresponding time index value, based
22 on a timestamp of the keyframe; and

23 (c) index each slide display command to a nearest preceding keyframe time index value,
24 based on a time stamp of the slide display command.

25 29. (Previously Presented) The computer-readable medium of Claim 24, wherein:

26 (a) the slide triggering events are captured as they occur during the live presentation;

27 (b) the slide display commands are generated based on the slide triggering events that are
28 captured.

29
30

REMARKS

Claims 1-29 remain pending in the present application. The claims are listed above for convenient reference, but have not been amended.

Claims Rejected Under 35 U.S.C. § 103(a) Over Dyson in View of Craig

Claims 1-5, 7-13, 16-18, 21, 22, and 24-27 continue to be rejected under 35 U.S.C. 103(a) as being unpatentable over Dyson ("Mastering Microsoft Internet Information Server 4," Sybex, 1997), in view of Craig (U.S. Patent No. 6,108,687). In the interest of reducing the complexity of the issues for the Examiner to consider in this response, the following discussion focuses on amended independent Claims 1, 9, 16, 20, and 24, and the patentability of each remaining dependent claim is not necessarily separately addressed in detail. Applicants' decision not to discuss the differences between the cited art and each dependent claim should not be considered as an admission that applicants concur with the Examiner that these dependent claims are not patentable over the disclosure in the cited references. Similarly, applicants' decision not to discuss differences between the prior art and every claim element, or every comment made by the Examiner should not be considered as an admission that applicants concur with the Examiner's interpretation and assertions. Indeed, applicants believe that all of the claims in the present application patentably distinguish over the references cited. A specific traverse of the rejection of each dependent claim is not required, since dependent claims are patentable for at least the same reasons as the independent claims from which the dependent claims depend.

The Examiner has taken official notice "that 'automatically embedding slide display commands into a data stream as the data is produced' in a computer networking environment was well known in the art at the time the invention was made" (Final Office Action, pg. 16, lines 9-11). Applicants respectfully traverse the official notice for the reasons discussed below. According to the MPEP, "notice of facts beyond the record which may be taken by the examiner must be 'capable of such instant and unquestionable demonstration as to defy dispute'" (MPEP § 2144.03 A., citing In re Ahlert, 424 F.2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970), citing In re Knapp Monarch Co., 296 F.2d 230, 132 USPQ 6 (CCPA 1961)). "[A]ssertions of technical facts in the areas of esoteric technology or specific knowledge of the prior art must always be supported by citation to some reference work recognized as standard in the pertinent art" (emphasis added, MPEP § 2144.03 A., citing In re Ahlert, 424 F.2d at 1091, 165 USPQ at 420-421).

1 Applicants believe that the Examiner misunderstands the meaning of the claim element for
2 which the Examiner takes official notice. In particular, the Examiner seems to focus on "automatic"
3 versus "manual" aspects of the claim element. However, the Examiner should instead focus on the
4 distinction between the predefined content portion and the live portion of the presentation.
5 Specifically, slide display commands are defined in applicants' claims and specification as
6 corresponding to slide trigger events that cause display of presentation slides that are included in a
7 predefined content portion of a live presentation. This predefined portion of the live presentation is
8 distinguished in the claims and in the specification from a live portion with live audio and/or visual
9 content. Thus, the proper interpretation of applicants' claim language, as it is precisely written, is
10 that the slide display commands corresponding to predefined presentation slides are embedded in a
11 data stream, but the predefined presentation slides are not included in the data stream. The data
12 stream is separate from the predefined presentation slides. Further, applicants' claims and
13 specification define the data stream as comprising data corresponding to the live portion of the
14 presentation, which is defined with live audio and/or visual content. Thus, applicants' claim element
15 requires that the slide display commands, which control the predefined portion, must be automatically
16 embedded into the data stream as the stream of data corresponding to the live audio and/or visual
17 content is produced. This unique combination that synchronizes the predefined portion with the live
18 portion is certainly not capable of such instant and unquestionable demonstration as to defy dispute.

19 Applicants also contend that the officially noticed claim element is specific to the complex
20 area of continuous data streaming in network communications, and should be demonstrated through
21 a recognized reference work if the claim element is as well known in the art as the Examiner believes.
22 As explained in applicants' specification, prior art slide triggering was either (1) included in a data
23 stream together with the predefined content such as slides, or (2) manually inserted into a data stream
24 with an editing tool to reference separate predefined content (See Specification, pg. 5, lines 13-27).
25 In the first case, the predefined content was not separate from the data stream, so the slide triggers
26 can not be equated to applicants' slide display commands that correspond to a separate predefined
27 content. Specifically, Dyson explains that "In a nutshell, you use the ASF Editor to synchronize
28 images, audio, and scripts and to combine all these elements into a single .asf file that you can then
29 stream to your users with NetShow On-Demand Server" (emphasis added, Dyson, Chapter 8, Using
30 the ASF Editor, pg. 1 of 7, 1st paragraph). In the second case, the slide triggers specified Web page

1 URLs or specific file names, and there was no means to insert these specific identifiers into the data
2 stream while the data stream was being generated. Instead, at the time of the invention, a user had to
3 manually insert script commands into a preexisting data stream with a data stream editor (e.g., the
4 ASF Editor). Even if the Examiner does not consider these detailed relationships to be esoteric or
5 specific, the correct understanding of applicants' term "slide display command" (as a command that
6 refers to separate presentation slides yet is automatically embedded into a data stream at the time a
7 data stream is produced), is not capable of such instant and unquestionable demonstration through a
8 recognized reference work as to defy dispute.

9 Automatically embedding slide display commands while producing the data stream is clearly
10 desirable, but the cited references do not disclose or suggest performing this element, or suggest any
11 way for one of ordinary skill in the art at the time of the invention to modify the editor or other
12 system to automatically embed URLs or other slide display commands into a data stream of live
13 audio and/or video data while the live audio and/or video data is being created as the data stream.
14 Thus, this unique element could only have been gleaned from applicants' specification and is not
15 capable of such instant and unquestionable demonstration as to defy dispute. When interpreting the
16 claim terms correctly, it is clear that prima facie obviousness has not been established for achieving
17 the integrated solution of applicants' invention as defined by the terms of applicants' claims. By
18 misunderstanding the term "slide display command," the Examiner apparently attempted to establish
19 the state of the art at the time of the invention by taking official notice of a crucial claim element that
20 can not be found in the prior art. The MPEP warns that "[t]he facts constituting the state of the art
21 are normally subject to the possibility of rational disagreement among reasonable [people] and are
22 not amenable to the taking of such notice" (MPEP § 2144.03 A., citing *In re Eynde*, 480 F.2d 1364,
23 1370, 1787 USPQ 470, 474 (CIPA 1973)).

24 Accordingly, taking official notice of applicants' claim element is not warranted in this case,
25 and the rejection under 35 U.S.C. § 103(a) of each of the independent Claims 1, 9, 16, 20, and 24,
26 which include this element, should be withdrawn. Because dependent claims are considered to
27 include all of the elements of the independent claims and any intervening claims from which the
28 dependent claims depend, the dependent claims are patentable for at least the same reasons as the
29 independent claims. Thus, the rejection under 35 U.S.C. § 103(a) of dependent Claims 10-13, 17, 18,
30 21, 22, and 25-27 should also be withdrawn.

1 Claims Rejected Under 35 U.S.C. § 103(a) Over Dyson in View of Klements

2 Claims 6, 14, 15, 19, 23, 27, and 28 continue to be rejected under 35 U.S.C. 103(a) as
3 unpatentable over Dyson in view of Klements et al. (U.S. Patent Application No. 2001/0013068,
4 hereinafter referred to as Klements). However, as discussed above, Dyson and/or official notice do
5 not disclose or suggest all of the elements of the independent claims from which dependent Claims 6,
6 14, 15, 19, 23, 27, and 28 depend. Further, the Final Office Action does not indicate that Klements
7 discloses or suggests the missing element discussed above. Thus, dependent Claims 6, 14, 15, 19, 23,
8 27, and 28 are patentable for at least the same reasons as the independent claims.

9 Also, in response to applicants arguments in applicants' previous amendment of
10 September 15, 2003, the Examiner indicates that paragraphs [0065-0068] of Klements disclose the
11 elements of a keyframe and indexing each slide display command to a nearest preceding keyframe
12 time index. However, this portion of Klements was cited in the last Office Action, and applicants
13 directed the Examiner's attention to paragraph [0053] that explains the content of a locator annotation
14 stream, which is separate from a video stream. Thus, paragraph [0053] defines some of the
15 terminology used in paragraphs [0065-0068]. Specifically, paragraph [0053] explains that "[e]ach
16 annotation frame includes an event locator and an event time marker..." (Klements, [0053]).
17 However, the annotation frames of the annotation stream are not equivalent to applicants' keyframes
18 or indices of applicants data stream of live audio and/or visual data, as defined by applicants claims
19 and specification. Moreover, paragraphs [0065-0068] and the remainder of Klements do not disclose
20 or suggest any kind of keyframe as defined by applicants specification. As explained in applicants
21 previous amendment, "[k]eyframes are video frames that comprise new data, while deltaframes comprise
22 data corresponding to the difference between a current frame and its immediately preceding frame.
23 Preferably, each slide display command will be indexed to a nearest preceding keyframe..." (Specification,
24 page 7, lines 3-6). In contrast, Klements does not distinguish any different types of video frames. Klements
25 simply provides a time stamp for each video frame (See Klements Figure 5). Consequently, Klements can
26 not possibly disclose or suggest indexing a slide display command to a nearest preceding keyframe time
27 index value. Accordingly, the rejection of Claims 6, 14, 15, 19, 23, 27, and 28 under 35 U.S.C. §
28 103(a) should be withdrawn.

29 In consideration of the preceding Remarks, it should be evident that all claims in the present
30 application define a novel and non-obvious invention. Since the application is in condition for

1 allowance, the Examiner is asked to pass it to issue without further delay. Should any questions
2 remain, the Examiner is asked to telephone applicants' attorney at the number listed below.

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4 Respectfully submitted,

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6
7 Ronald M. Anderson
8 Registration No. 28,829

9 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed
10 envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents, P.O.
11 Box 1450, Alexandria, VA 22313-1450, on January 30, 2004.

12 Date: January 30, 2004

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